

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JANE DOE #2,

Plaintiff,

v.

MARCUS JOHNSON, et al.,

Defendants.

No. 2:24-cv-1844 DJC AC P

ORDER

Plaintiff and defendants Gonzalez, Macomber, and Montes¹ have filed a stipulated request to refer this matter for an early settlement conference and to stay the case pending completion of the settlement conference. ECF No. 33. The request will be granted. However, to the extent the parties indicate they may request an informal discovery conference to resolve any issues that arise during their informal exchange of documents, they are advised that the court will not resolve any discovery disputes prior to the commencement of formal discovery. Because the exchange of documents is informal and strictly voluntary, the parties may exchange documents, or not, at their own discretion, and refusal to produce documents at this stage will not warrant court intervention. The court further notes that the parties have requested the settlement conference take place in May or June of 2025. Id. While the court will try to accommodate this request, scheduling of the

¹ Defendant Johnson is not represented by counsel for defendants Gonzalez, Macomber, and Montes, and default was entered as to Johnson on January 30, 2025 (ECF No. 28).

1 settlement conference will ultimately depend upon the court's availability.

2 Once the settlement conference is scheduled, if plaintiff remains incarcerated, plaintiff's
3 counsel is responsible for providing plaintiff's name and CDCR number to the court at least five
4 weeks in advance so that a writ of habeas corpus ad testificandum may issue to secure plaintiff's
5 presence at the settlement conference. Because plaintiff is currently proceeding as a Jane Doe,
6 such notification may be provided to the undersigned's courtroom deputy, Jonathan Anderson,
7 via email at janderson@caed.uscourts.gov, and the writ will be filed under seal or in redacted
8 form.

9 In accordance with the above, IT IS HEREBY ORDERED that:

10 1. The parties' stipulated request for referral to an early settlement conference and a stay
11 of proceedings (ECF No. 33) is GRANTED.

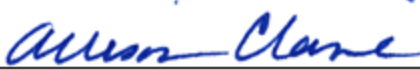
12 2. This action is referred for an early settlement conference with a magistrate judge of
13 this court.

14 3. Formal discovery in this matter is stayed pending completion of an early settlement
15 conference. The parties shall not engage in formal discovery but may elect to informally
16 exchange documents to facilitate settlement discussions.

17 4. If a settlement is reached at any point during the stay of this action, the parties shall
18 file a Notice of Settlement in accordance with Local Rule 160.

19 5. Defendants Gonzalez, Macomber, and Montes will respond to the First Amended
20 Complaint within thirty days of the date of the settlement conference if the parties are unable to
21 resolve the case.

22 DATED: April 9, 2025

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24 ALLISON CLAIRE
25 UNITED STATES MAGISTRATE JUDGE
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